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Term limits for Miami-Dade commissioners lead county ballot questions

By Charles Rabin and Patricia Mazzei
crabin@MiamiHerald.com

President Bill Clinton had just taken office, Nirvana blasted on the radio and gas cost \$1.11 a gallon in April 1993, when Miami-Dade County's two longest-serving commissioners were first elected.

Dennis Moss and Javier Souto, the commission's elder statesmen, have been on the 13-member board for 19 years. Five other commissioners have served for at least a decade.

They keep getting reelected, their supporters say, because they're good at what they do. But to critics, the long tenures are a sign that defeating incumbents is nearly impossible.

That could change on Nov. 6, when the public gets a chance to impose two four-year terms on commissioners.

The issue has been on the ballot before — most recently in January, when it was rejected by percent of voters. There was a catch, however: The term limits were tied to hefty salary increases for commissioners.

That's not the case this time.

"I was listening to radio and reading opinions, and people always asked me, 'Why do you have to bring that issue with the raises?'" said Commissioner Rebeca Sosa, who, along with Commissioner Lynda Bell, pushed to put term limits on the upcoming ballot.

If the charter amendment is approved, long-serving commissioners don't have much to fear. The term limits would not apply retroactively; instead, they would be added to time commissioners have spent in office.

Current commissioners could stay until 2020. Souto and Moss could represent their districts for as many as 27 years.

Bell and Sosa made the proposal as Miami auto magnate Norman Braman and activist Vanessa Brito were making noise about collecting petition signatures to put term limits on the ballot themselves. They ultimately backed off, though they have lamented the Sosa-Bell proposal does not apply retroactively — a move that would have essentially booted seven commissioners off the dais.

Separately, a commission-created charter-review task force was expected to recommend a

term limits amendment as well — a move preempted by the measure on the ballot.

The term-limit proposal is just one of 10 county ballot questions. The public will also be asked to:

- Make technical amendments to the county's 55-year-old charter.
- Require a two-thirds majority of the commission to move the county's Urban Development Boundary. That's the current voting standard in practice, but it is not set in the charter. Proponents say the measure would make it more difficult to allow development along the county's southern and western fringes. Opponents say it is unnecessary when commissioners have already agreed to that threshold by ordinance.
- Make it easier for new cities to incorporate. Cityhood advocates would have six months (instead of three) to gather signatures from 20 percent (instead of 25 percent) of voters within the proposed city. A proposal to incorporate would require an up-or-down vote from commissioners, who would no longer be able to indefinitely postpone the measures.
- Empower the county's Commission on Ethics & Public Trust to enforce the Citizens' Bill of Rights. Currently, the only way to pursue violation complaints is to sue in civil court. The current penalty: forcing violators out of office. The charter amendment would eliminate that penalty but allow the ethics commission to enforce a range of others without the need for a lawsuit, though lawsuits would still be permitted. The ethics commission's executive director, Joe Centorino, supports the amendment, saying it will strengthen the bill of rights.
- Extend the time to hold a special election to fill a mayoral or commission vacancy to 90 days from 45, and, in the event of a mayoral vacancy, to transfer some of the mayor's powers to the commission chair, vice chair or someone else chosen by the commission. Currently, there is no chain of command should the mayor leave office between elections.
- Give the commission chair authority over procurement decisions if the mayor has a conflict of interest. Currently, the mayor can approve contracts up to \$1 million for goods and services and \$5 million for construction, and can recommend bid waivers for contracts. If the mayor has a conflict, the procurement is handled by deputies — though they cannot recommend bid waivers.

Proponents of the measure say deputy mayors should not handle the procurements because they ultimately answer to their boss — the mayor. Opponents say delegating the mayor's powers, including bid waivers, to the commission chair creates the potential for a voting member of the board to curry favor.

- Allow the county to move forward with a plan to give the Crandon Park Tennis Center a nearly \$50 million facelift. The upgrades would be funded by organizers of the Sony Open tennis tournament and tournament revenues. The organizers would in turn extend their lease to a total of 30 years with two optional 10-year extensions. The current lease would otherwise expire in nine years.

The ballot also includes two non-binding questions:

- To increase the property-tax rate to keep some 20,000 cats and dogs from being

euthanized. The proposal would create what has become known as the "Pets' Trust."

- To prohibit the county from hiring companies that "actively" do business with state sponsors of terrorism. The question comes on the heels of a similar Florida law approved earlier this year restricting hiring of companies tied to Cuba or Syria. A federal judge ruled the law unconstitutional; the state has appealed.

Term limits, though, are at the forefront of the county questions on the lengthy ballot, which is also packed with 11 proposed amendments to the Florida Constitution.

Until Jean Monestime defeated a controversy-plagued Dorrin Rolle in 2010, no sitting county commissioner had lost a reelection bid in 16 years — in part because people, organizations and companies that regularly do business with the county contribute so much to commissioners' campaigns that challengers often can't compete.

The commission has seen more turnover than usual in the wake of last year's recall of Mayor Carlos Alvarez and Commissioner Natacha Seijas. Two new commissioners were elected last year, and a third will join the board after the Nov. 6 runoff for an open seat. Two incumbents also face runoffs.

Opponents point to that turnover as a sign that term limits are unnecessary. A commissioner can be voted out of office every four years, they argue, and term limits could force out knowledgeable commissioners.

"I don't want a commissioner to get elected and think they don't have to face an election in four years," said Terry Murphy, a charter review task force member and former aide to Seijas. "They could make decisions that would benefit them after leaving office."

Another critic, Commissioner Moss, said some major efforts take more than eight years to accomplish. He mentioned the recently completed \$51 million South Miami-Dade Cultural Arts Center as an example.

"That process began in 1993 after Hurricane Andrew," Moss said. Had his term ended in 2001, he added, "I think it would have been dead in the water."

Opponents often point to the Florida Legislature, where term limits have empowered lobbyists — who have more institutional knowledge than new lawmakers — and ratcheted up partisan, backroom races for powerful leadership positions.

But there was an upside: The term-limit clock forced elected leaders to immediately focus on the needs of their constituents, and the turnover brought fresh perspectives.

Former state Rep. Julio Robaina, who ran unsuccessfully last year for the county commission, noted the negative consequences of term limits but also called them "healthy."

"It brings in new blood, new ideas, and no complacency," he said. "But you do have a short term to learn the ropes, and you do have to depend a lot on bureaucrats."

Proponents also argue that term limits can cut back on potential corruption, because elected officials are less entrenched and don't have a sense of invincibility.

Miami Lakes Mayor Michael Pizzi, who successfully pushed for term limits in his village, said without them elected leaders would spend more time worrying about being reelected than about their constituents.

"If you're only there for eight years, and it's not a career thing, you're more inclined to care for the people," he said. "Your motivation is really to maximize the public good because you only have eight years to do it."

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